

off inspector for the commission, remonstrated quite a few of the claims made by Mr. Menden at the hearing a week ago of gradual increasing service. Mr. Menden criticized the form of service reports in vogue, between the traction companies and the commission and told Commissioner O'Ryan, who was presiding, that the traction companies' reports of service are rendered worthless for the commission's purposes, for the reason that the reports do not show rush hour and non-rush hour periods, but rather the traffic over the entire day without subdivisions.

Later on General Manager Menden explained, in answer to questions of Gen. O'Ryan, that the company was operating forty-six trains in sixty minutes over the Williamsburgh Bridge and the only way to increase the traffic would be to substitute steel for wooden cars which would reduce the loading conditions 200 per cent. in the rush hours.

Hearings on B. R. T. service closed this afternoon and the engineers and traffic experts for the commission immediately set to work on a proposed service order to be directed against the Brooklyn company within a couple of weeks.

NEW PLAN ASSURES LOW I. R. T. FARE

Agreement Announced by Judge Mayer Will Avoid Receivership.

With the announcement of the interborough that it will comply with the Transit Commission's orders and improve its service Federal Judge Mayer has today given out the revised plan of readjustment of the terms of the Manhattan Elevated lease, carrying with it complete relinquishing of the Interborough.

A summary of the plan authorized by Judge Mayer says it averts a receivership and avoids the imposition of a double fare, which a separation of the elevated from the subway lines would have entailed. "By keeping the system together without a receivership," it is stated, "the continuation of the 5-cent fare over the entire Interborough Rapid Transit system is assured."

This plan, which has been agreed to by committees representing the Interborough bondholders, the Inter-Met. 4 1/2 per cent. bondholders and the Manhattan stockholders, contains the following provisions:

Provision of \$15,000,000 to meet the demands of the Transit Commission and other capital requirements of the company by an issue of ten-year 6 per cent. gold notes, to be taken by a syndicate or by the holders of the Inter-Met. bonds, who will become the owners of the Interborough stock.

Replacing the old 7 per cent. guaranteed rental of the Manhattan by a new rental to be paid out of earnings. The highest guaranteed rental under the new plan is 5 per cent.

Reorganization of the directorship of the Interborough to include representatives of the Manhattan Company, the Transit Commission and the City of New York, "if they elect to avail themselves of the privilege."

Limitation of earnings on Interborough stock to 7 per cent., a provision which is expected to remove the stock from the speculative class of securities. Earnings in excess of 7 per cent. is understood, will be put into improvements on the property.

Elimination of the Interborough Consolidated Corporation as the holding company controlling the Interborough Rapid Transit Company. In place of the Interborough Consolidated \$45,740,500 preferred stock, \$23,626 shares of common stock and \$53,808,000 collateral trust bonds, there will remain only the \$35,000,000 stock of the Interborough itself.

The agreement was declared by the negotiators to have been effected in the expectation of co-operating with the Transit Commission in its plans for making unification of the lines effective.

BRONX OPPOSES ABANDONMENT OF TOLLEY LINE.

The Transit Commission through its Executive Officer, Gen. C. Andrews, heard today the petition of the Union Railway Co. to abandon a half mile of its right of way on Morris Park Avenue, the Bronx, on the plea of "unprofitable operation."

Several residents of the old Morris Park section of Van Nest appeared in opposition. They were marshaled by Joseph Milwatsch, assistant Commissioner of Public Works, who represented Borough President Henry Bruckner.

The company contended that a census of the section shows 628 residents, whereas 1,680 residents using the line twice a day would be required to make operation a paying proposition. The rails were torn up in 1916 to facilitate public improvements.

GIRL FALLS UNCONSCIOUS, FEAR SHE TOOK POISON

Spectators at Hospital—Case Puzzles Doctors.

Miss Mary Villiers fell unconscious last night in the entrance of the apartment building, No. 523 Third Avenue, Brooklyn, where she lives. Presumably she had taken poison. She was taken to Kings County Hospital. She was still unconscious today. The nature of the poison, if any, has not been determined. Robert Villiers, her brother, said she was talking with two other girls and three young men when she entered the building about 11 P. M. Half an hour later he heard moans and found his sister lying on the floor.

WU DEFEATS CHANG, SURROUNDS PEKING AND CUTS RAILROAD

Manchurians Around Capital Scattered When Right Flank Is Turned.

FLEEING TO TIENTSIN.

American Sent to Negotiate With Victorious Chief for Government.

PEKING, May 4. (Associated Press).—The troops of Gen. Wu Pei Fu, the Central Chinese commander, have surrounded Peking. Gen. Chang Tso Lin's army in the vicinity of Peking has been scattered.

All railroad traffic out of Peking has been suspended. These developments followed the despatch of eight trainloads of Chang Tso Lin's soldiers eastward (in the direction of Tientsin).

Gen. Wu brilliantly turned the right flank of Gen. Chang's army last evening. Chang's troops are now in retreat towards Fengtai from Chang-sien.

Acting Premier Chow Tzu Chi has sent Roy Anderson, an American, to Peking to negotiate with Gen. Wu. The Chinese commander is expected to arrive in the vicinity of Peking and warning of the serious consequences to China should hostilities continue from the hostilities.

Admiral Strauss, Commander of the American Asiatic fleet, has arranged to leave Peking for Tientsin in an automobile.

President Hsu, after a meeting of the Cabinet, had sent telegrams to all generals appealing to them to consider the welfare of China and end the civil war.

The telegrams called attention to the three notes handed to the Chinese Government by the foreign representatives in the vicinity of Peking and the fighting in the vicinity of Peking and warning of the serious consequences to China should hostilities continue from the hostilities.

Owing to the hostilities, almost all the plans regarding China made at the Washington Conference have been suspended. The Chinese official appointed to take over the British naval base at Weihaiwei has suggested a postponement of the date of assumption, and the Chinese Commission, which was expected to meet a similar Japanese body to arrange for the restitution of Shantung has also deferred the meeting.

Likewise, all the international commissions which were arranged at Washington to consider Chinese customs, the extra-territorial system and the withdrawal of foreign troops have suspended their plan to convene in China in the immediate future.

STROMBERG PEARL STRAND RETURNED

Widow Regains \$70,000 Necklace From Customs After Jeweller Testifies.

The two-strand pearl necklace, valued at \$70,000, which was held by the Custom House authorities during the appraisal of the baggage of Mrs. Henrietta Macaulay Stromberg of No. 270 Park Avenue, who arrived here on the Aquitania last Friday, was today returned to her.

Arthur Kirkpatrick, a jewel importer of No. 527 Fifth Avenue, proved to the authorities at the Appraisers' Stores that he had imported the necklace and that it was sold to Mrs. Stromberg in this city by a retailer in 1920.

Other effects of Mrs. Stromberg are still retained by the authorities pending inspection.

SOVIET ABANDONS GOLD AS CALCULATING BASIS

Fear Entire Wage and Payment System May Be Shattered.

MOSCOW, May 4.—The Soviet Government has decided, it is announced, to refrain in future from using the gold ruble as the calculating unit. The difference in exchange between paper and gold has been increasing so rapidly that the former was expressed in financial circles that the whole existing wage and payment system might be shattered.

One plan under consideration is that of a decree determining a goods index as the calculating unit. This index would determine the wages and the value of the goods.

FIRST EVICTIONS OF STRIKING MINERS

Dozen Families and Furniture Sent Out in Road by Operators.

UNIONTOWN, Pa., May 4.—The first evictions of striking miners and their families from the Fayette region took place today, at the mine of the Amos Coal & Coke Company, near here.

A dozen families, it was reported to the county authorities, had been moved from company houses and their belongings set out in the road. This, it was stated, was the beginning of a movement by operating companies to replace homes occupied by what they termed "undesirables."

300 STRIKERS ARRESTED AFTER KILLING.

MONTREAL, May 4.—Three hundred members of the Longshoremen's Union were arrested here today by Chief of Police and 150 constables, backed by a company of Mounted Police.

The men were charged with conspiracy following the killing of a constable Tuesday night, when union sympathizers attacked strikebreakers and guards at the C. P. R. warehouses.

MARSHAL FRENCH ARRIVES HERE ON 3 WEEKS' VISIT

British Leader and Joffre Exchanged Radio Greetings in Mid-Ocean.

D. W. GRIFFITH BACK.

Movie Producer Announces Gigantic Historical Series to Cost \$5,000,000.

Field Marshal the Right Hon. Earl French, K. P., O. M., G. C. B., G. C. V., O. C. M. G., arrived today on the White Star liner Homeric for a three weeks' stay in America. Passengers who came over with the Earl said that he was entitled to another set of initials—G. O. S.—meaning Good Old Scout.

Earl French came over to see America in 1912 and war in the Balkans caused the British Government to call him home. He was then on the General Staff. Now, as he explained today, he is a private citizen and is going to look around a bit.

Field Marshal French is seventy, ruddy complexion, white haired and wears a white mustache. He wore a business suit, tan shoes and hat and talked while he agreed to pose for the photographers.

"I just came over for a flying visit for purely personal reasons. In fact, no reason. I have no public engagements, with the exception of an address I will give at the Pilgrims' dinner on May 11. I also shall visit the late President Roosevelt's grave."

Marshal French was accompanied by S. S. Lamert and Col. A. J. Collins. He was met by Percy Sutherland Bullen, Col. Samuel Lloyd, National Commander of the British War Veterans; Capt. W. L. Post, Vice President of that organization, and Major D. C. Fitzgerald. He went to the Baltimore.

Three days ago a radio was received by Marshal French from Marshal Joffre, who was going home on the Celtic. It read:

"In returning to France and passing near I send you my wishes for a good voyage and sincere sentiments. Marshal French wireless back:

"Many thanks kind message. Heartily reciprocate good wishes and welcome back to Europe."

David W. Griffith, motion picture producer, was also aboard the Homeric. He announced that he would begin soon the production of a series of historical films which would be the most gigantic undertaking ever attempted in motion picture production.

"It will be a chronological history of every country," he said, "and its intention will be to promote peace. It will take three years to produce and will cost about \$5,000,000. The foremost historians of every country will collaborate in the writing of the scenario."

Winchell Smith, playwright, and Mrs. Smith returned from a visit to Monte Carlo, where Mr. Smith went to get local color for a new play about gambling.

Dr. Meliton F. Porras, who will head the Peruvian delegation to Washington to participate in the arbitration of the Ancon Treaty of 1884 between Peru and Chile, was another passenger.

SUSPICIOUS TRUCK HAD LOAD OF BEER

Unlabeled, but Cops Thought It Looked Like Old Time Stuff.

A big auto truck loaded with boxes passing through Sands Street, Brooklyn, attracted the attention this afternoon of Sgt. John Sullivan and Patrolman William O'Connor, who were riding behind it in a Police Department car. They ordered two men on the front seat of the truck to drive to the curb and stop, and then investigated the load.

Each of the boxes was found to contain twenty-four unlabeled bottles of a liquid that looked like old-time beer. The custodians of the truck, John Russo of No. 674 President Street and Frank Ligouri of No. 597 Union Street, refused to say where they had come from or where they were going and Sullivan took them and the truck to the Poplar Street Station House.

Russo and Ligouri were locked up on a charge of illegal transportation of liquor. The beer was stored in the back room of the station house and attracted a lot of police attention.

SWEET BEFORE GUESTS, DIFFERENT WHEN ALONE

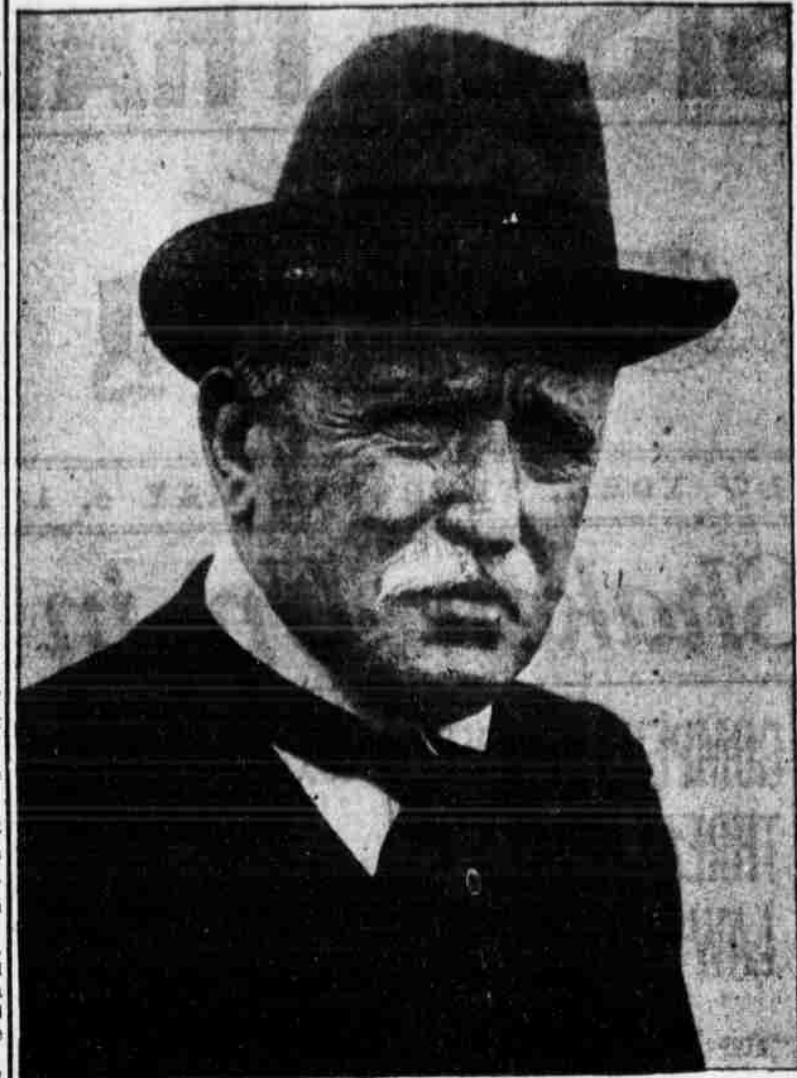
Mrs. Miles Asks Counsel Fee and Alimony in Separation Suit.

Alleging that her husband used abusive language and mistreated her, Mrs. Beale Miles applied to Justice Fawcett, in the Brooklyn Supreme Court today, for \$500 counsel fee and \$25 a week alimony, pending trial of her suit for separation from Lester W. Miles, a B. R. T. employee, living at 607 Putnam Avenue, Brooklyn.

The plaintiff said Miles humiliated her in the presence of their daughter, Ruth, six, and exhibited "traits of cunning" when they had guests, showing an affection toward her, directly opposite to his actions when they were alone.

Miles said that after he had been put into the hospital during the war, his wife went to the draft office and tried to have him sent to France.

Former British Army Commander Who Drops in for 3 Weeks' Visit



FIELD MARSHAL VISCOUNT FRENCH.

VEITH ACQUITTED OF MURDERING HIS FRIEND DOYLE

"Unwritten Law" Frees Man Whose Mother Was Threatened and Abused Over Loan.

After two hours' deliberation, a jury this afternoon acquitted Carl Veith, thirty-seven, of No. 691 Wythe Avenue, of the charge of murdering William Doyle, by shooting him in front of No. 5 East Broadway, Manhattan, on April 8, 1921. When he was discharged by Judge Mancuso in General Sessions, Veith's sister, Mrs. Madeleine Mullen threw her arms about the acquitted man's neck and promptly fainted.

Veith and Doyle worked together in a tinfol factory in Manhattan. Veith had often befriended Doyle and at last took him to live in the Brooklyn home. In Veith's absence Doyle came to the house drunk and demanded money of Veith's mother. The latter, an aged woman, refused and Doyle beat her.

When Veith came home and learned that what had happened he got a revolver and went looking for Doyle. He came upon him with two companions, all drunk, in East Broadway and shot him.

SHOULD TEACH CHILDREN THE USE OF MONEY

"Place Them on Allowance and Let Them Live Up to It."

ATLANTIC CITY, May 1.—Mrs. Alban P. Stevens, of Portland, Me., speaking today in the women's section of the third annual conference of the National Association of Mutual Savings Banks at the Hotel Ambassador, said that children must be taught the use of money before it is put into their hands. She added that it was necessary to make saving "fashionable" before real progress could be made, suggesting that the aid of social leaders be enlisted to this end.

She declared that failure to teach children the way in which to use money was responsible for their marital troubles after they grew up. It was urged by her that children be placed on money allowance and be held to it.

HOLDS MATERNITY LAW IS UNCONSTITUTIONAL

Massachusetts Attorney General Says States' Powers Are Usurped.

BOSTON, May 4.—The Sheppard-Towner act, providing for federal and state co-operation in promoting maternity and infancy welfare and hygiene, was declared to be unconstitutional in an opinion given the Legislature today by Attorney General Allen.

In his opinion, he said, Congress had exceeded its authority in that the legislation involved police powers which were reserved exclusively to the states. He suggested that Massachusetts test the validity of the act in the Supreme Court.

CANNOT FIND SPIRITUAL PLACE IN PENNSYLVANIA

Merchant Asks Governor to Direct Son to Abode; Gets Forensic Map.

HARRISBURG, Pa., May 4.—Gov. Sproul today received a letter from a widely-known Pennsylvania manufacturer asking if there were not some place in the state to send his son "who is desirous of living a thoroughly spiritual life."

"My son desires to find some place where he can eat, sleep, and dress as he believes man should," the letter said. Gov. Sproul replied that the state forests were open, and sent a map.

NEW FOR CABINET; HARDING NOT UPSET BY VOTE IN INDIANA

Beveridge's Victory Regarded as Merely Personal by President.

By David Lawrence. (Special Correspondent of The Evening World.)

WASHINGTON, May 4. (Copyright).—On Tuesday of this week President Harding told the Washington correspondents emphatically that he wasn't taking part in primary contests anywhere. The victory of former Senator Albert Beveridge on Wednesday over Mr. Harding's personal friend and chum, Senator Harry New of Indiana, cannot therefore be construed as a repudiation of the Harding Administration. Nor can the result of any primary contest involve the approval or disapproval of the Administration.

That is the White House view before and after the primaries. It cannot be denied that Mr. Harding wanted Mr. New to win. He told John C. Shaffer, the Indiana publisher, that very thing a few weeks ago. He had no reason to fear the coming of Beveridge to the Senate, but he didn't want to see New displaced. As for the people of Indiana, the view of the Administration professes to take of the contest is that the vote was more an evidence of fondness for Beveridge than dislike of Harry New.

Before the campaign gets fully under way, the influence of the Republican National Administration will be thrown to former Senator Beveridge in the hope that he may triumph next November. Disaffection usually follows a primary fight in Indiana and the Democrats are counting upon the accession of many voters who supported Harry New and who would rather see a Democrat elected than help Beveridge. Like all strong characters, Beveridge has foes who are opposed to him as intensely as his supporters are for him.

On the assumption that Indiana is normally Republican and that the Harding Administration will be able to marshal the supporters of Harry New and that Mr. New himself may in the end take the stump for Beveridge, the speculation here is whether Beveridge will become a supporter of the Harding policies or whether he will as of old join an independent group and hammer away at the incumbent Administration.

Mr. Beveridge has announced that he would support Mr. Harding if elected. Between now and next autumn he will have an opportunity to amplify that statement with a bill of particulars and the chances are that the Harding Administration will then help Beveridge to the full extent of its powers.

The Democrats, of course, are saying the defeat of New was a repudiation of the Harding Administration by the Republican voters of Indiana. That's what the Republicans would say if a Democratic President were in power and an Administration supporter were beaten at the polls. In other words, politics demands such tactics, but disinterested observers will insist that the triumph was personal and that Mr. Beveridge who has been campaigning constantly for more than two years while Mr. New has been busy at Washington, managed to impress his personality on the minds of the voters and thus won out.

The primary system always gives the advantage to the man on the outside seeking the office who has all his time to devote to a campaign while the man in office must convince the voters that he is performing his public duties and not spending his time electioneering.

The primary system is hardly popular in the Harding Administration. If the President could have his way to-morrow he would go back to convening the Indiana contest and believes it in at the root of our legislative troubles because it keeps members of Congress too busy listening to murmurs of political discontent to heed the true voice of public opinion.

What will become of Harry New? He may go to the Cabinet, though to be sure here the Harding Administration will have a difficult problem to decide. Would it be good political strategy to appoint to the Cabinet a man who has been defeated by a majority of the Republican voters of his State?

In the sense that the contest was personal and not based upon major issues, the Harding Administration might feel no hesitancy in appointing New to the Cabinet, believing the people of Indiana would regard the appointment with favor. In fact, several Beveridge supporters urged that Mr. New withdraw from the race some time ago and insisted Mr. Harding should appoint him to the Cabinet.

It is a fact that Harry New could have had a Cabinet position at the very beginning when he and Mr. Harding were in Florida together. He declined the offer, declaring he wanted vindication in his home State in the primary fight of this year. He has failed in that effort, but the Administration does not consider his defeat humiliating or politically significant.

"Very truly yours, 'RODMAN WANAMAKER.'"

Col. Woods, Chief of Staff of the Police Reserve, said today that Mr. Wanamaker had not resigned and did not contemplate resigning as Special Deputy Police Commissioner.

"I was with Mr. Wanamaker on Tuesday evening when he left for Philadelphia, and I can safely say that he has no intention of resigning," Col. Woods declared.

GOMPERS RESENTS THREAT OF CURB BY LAW ON THE UNIONS

(Continued on Second Page.)

between the head of the American Federation of Labor and Mr. Undermyer. Mr. Gompers said Mr. Undermyer was "putting untrue words" in the lips of a witness in saying Mr. Gompers assented to the delay.

Mr. Gompers said the difficulties between unions of the building trades here could be averted if the Building Employers' Association would agree to abide by decisions of the National Board of Jurisdictional Award—a body of the building department of the A. F. of L. which works in consultation with engineers, contractors and architects of national reputation. "Did the Building Trades Council," asked Mr. Undermyer, "make such a suggestion?" In the quarrel between plumbers and steamfitters which held up the \$30,000,000 Hell Gate job, did the International Union refer the matter to the Jurisdictional Board?

"I don't know," said Mr. Gompers. "Then why blame the Employers' Association alone?" asked Mr. Undermyer. Mr. Gompers replied, showing impatience, that he knew what he was talking about.

Witness and counsel then launched into a technical controversy as to the reason for the expulsion of the New York Plumbers' Union by the Building Trades Council. Mr. Gompers said they were expelled for failing to make a preliminary report to the Council.

Mr. Undermyer asked Mr. Gompers what would happen in the building trade if the A. F. of L. forced the Building Trades Council to bar the Dioguardia laborers' union with 15,000 members from the city and recognize, exclusively, the D'Allesandro union of 1,200 members, affiliated with the A. F. of L.

Mr. Gompers said that by "pressure of the union" the members of the big union would be forced to join the "authorized union" and share in the benefits of the unity throughout the country of the workers in their trade.

Mr. Undermyer asked why the American Federation of Labor would not take in the Dioguardia union. Mr. Gompers didn't know.

"Will you commit the American Federation of Labor to admit them?" Mr. Undermyer asked.

"I cannot commit the federation to anything," said Mr. Gompers. "Ah," said Mr. Undermyer triumphantly.

Mr. Gompers took up the matter of his lack of respect for the decisions of the courts in labor matters. He said that private detectives have been initiated into the membership of the union to stop disputes, of which the courts would have to pass if the unions were incorporated. These spies, he said, betrayed the union officials and would take the money side of such fights, so the courts must rule against them to the advantage of the employers.

Mr. Undermyer opened today's session by putting on the record remarks regarding the reversal of the opinion of Justice Pooley of Buffalo, who declared unconstitutional the Donnelly act against monopoly in business, which was overruled by the Appellate Division. The case on which Justice Pooley ruled was that of a group of Buffalo building material men indicted as a result of the activities of the Lockwood committee.

Mr. Undermyer called the "Pooley decision" that extraordinary—or I am almost tempted to say—disastrous ignored decision of the Appellate Division in this district upholding the Donnelly act. Justice Pooley, Mr. Undermyer commented, had "held the papers three months" and "held up the prosecution of the grafting combine of Buffalo for eleven months."

Mr. Undermyer advised the committee to decline a request, recently received, to return to Buffalo. The people there did not as a whole seem to realize what the committee had done for them. Buffalo Assemblyman, he said, had not been afraid to accept private retainers from insurance companies and other interested parties and then fight the committee in the Legislature. Mr. Undermyer told Assemblyman Caulfield, who questioned the charge that proofs would be laid before the committee in time.

Before examining Mr. Gompers, Mr. Undermyer read for his correspondence with the labor leader since March, in which Mr. Gompers was asked to prepare to comment on arbitrary union customs and traditions, on State workmen's compensation funds and on the incorporation of unions so that Uniformity could be held responsible by the courts for illegal and unfair actions.

"Labor is not a commodity and it would be unjust to impose on it the will of such a body."

"What is a successful business man in your opinion?" Mr. Gompers was asked.

"One who can supply the material the plant and the plans—and the brains, if he has them. If not, he buys them by the pound."

Referring to yesterday's testimony regarding the Jewish Bakers' local union, Mr. Undermyer held up Mr. Gompers' knowledge that the exactions of the Jewish union had made working as a union journeyman more profitable than being a boss baker.

"Why don't all the bosses resign, then?" said Mr. Gompers "and go to work?"

"Do you consider four hours a fair day's work?" Mr. Undermyer asked.

"I consider it extremely short," was the reply. "It may also be fair."

HIS AIM.

(From the Cincinnati Enquirer.)

"That fellow Boulder seems to lead an aimless existence," said Smith. "Oh, no, he doesn't," replied Jones. "His great aim in life seems to be to bust the Ten Commandments every twenty-four hours."

\$200,000 VERDICT TO SPORTING EDITOR

Police Gazette Must Pay That Sum for Breach of Life Contract.

A sealed verdict for \$200,000 was awarded to William A. Rafter, sporting editor of the Brooklyn Standard Union, today by a jury before Supreme Court Justice Lewis L. Fawcett in Brooklyn, following a two weeks' trial. Rafter sued the Fox Publishing Company, publishers of the Police Gazette.

Rafter produced in court a contract by which the publishing company agreed to pay him \$500 a week for two years, during which the company paid him a bonus of \$15,000 each year in addition to the salary. He brought an action for \$600,000, based on his expectation of life. He reached the figure by adding twenty-eight years to his present age of forty-three years.

The question of a life contract being against public policy was raised in the trial, but the jury apparently decided that it was not.

Rafter was represented by former Assistant District Attorney Albert Conway of Kings County.

The verdict is said to be one of the largest ever given in a civil suit in Brooklyn.

It is expected that an appeal will be taken.



Advt. on page 15

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DIED.

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STEELE—JOHN A. CAMPBELL FUNERAL CHURCH, Thursday, 2:30 P. M.

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